

that night; so he was on the beach and saw me. Now I am trying to get at the 9 o'clock cleaning the fish business.

BY MR. STUDER:

Q Just a minute; you have referred to some men and said you saw them but you didn't say whether or not they saw you or you spoke to them?

A You mean Mellinger and McGonigel?

Q Yes.

A I am not certain. I said in my statement to Capt. Walsh that I was almost positive that I saw those men. If this was taken four years ago I could have said it. You see I made no effort to get any alibi for myself four years ago. I didn't go out — well, I didn't think it would be at all necessary.

BY MR. PFEIFFER:

Q Didn't need to?

A I didn't think it was necessary. I thought there wouldn't be any question about where I was; but the alibis were all gotten for me by these reporters. You see they went scouting around the town raking up everybody that had seen me that night. Now, after 9 o'clock when I came in to clean the fish, after that was done I went out on the beach again and I know that I had my fishing paraphernalia with me. I either left it there